

MAR 13 1989

89-LEG-01

1
2 A RESOLUTION OF THE BOARD OF COUNTY
3 COMMISSIONERS, ORANGE COUNTY, FLORIDA,
4 REQUESTING THAT THE LEGISLATURE OF THE STATE OF
5 FLORIDA PASS LAWS PROVIDING SOURCES OF FUNDING
6 FOR THE RECENT AMENDMENTS TO CHAPTER 121,
7 FLORIDA STATUTES AND THE IMPLEMENTATION OF
8 CHAPTER 163, FLORIDA STATUTES, AND TO PURSUE OUR
9 AMENDMENT TO THE CONSTITUTION OF THE STATE OF
10 FLORIDA THAT REQUIRES THAT ANY FUTURE
11 LEGISLATION MANDATING ACTION BY A UNIT OF LOCAL
12 GOVERNMENT, WILL PROVIDE A SOURCE OF FUNDING
13 SUFFICIENT TO COVER THE COSTS OF SUCH ACTION
14 WITHOUT THE REQUIREMENT FOR A REFERENDUM BY THE
15 UNIT OF LOCAL GOVERNMENT

16 WHEREAS, Chapter 11 (Section 11.076(1)), Florida
17 Statutes requires that "Any general law, enacted by the
18 Legislature after July 1, 1978, which requires a
19 municipality or county to perform an activity or to provide
20 a service or facility which activity, service, or facility
21 will require the expenditure of additional funds, must
22 include an economic impact statement, as defined in
23 s. 11.075, estimating the amount sufficient to cover the
24 total cost to municipalities and counties to implement such
25 activity, service or, facility and must provide a means to
26 finance such activity, service or facility."

27 WHEREAS, the Florida Legislature has passed
28 amendments to Chapter 121, Florida Statutes mandating
29 higher retirement benefits for special risk members of the
30 Florida Retirement System without having complied with the
31 requirements of Section 11.076, Florida Statutes; and

32 WHEREAS, the Florida Legislature has passed the Local
33 Government Comprehensive Planning and Land Development
34 Regulation Act (Chapter 163, Florida Statutes) without
35 having complied with the requirements of Section 11.076,
36 Florida Statutes; and

WHEREAS, the Florida Legislature has passed many
other laws in recent years mandating actions on the local
governmental units of Florida without having complied with
the requirements of Section 11.076, Florida Statutes;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS, ORANGE COUNTY, FLORIDA:

Section 1. That the Board of County Commissioners,
Orange County, Florida, requests that the Florida
Legislature pass a law that provides a source of funding
for the amendments to Chapter 121, Florida Statutes.

Section 2. That the Board of County Commissioners,
Orange County, Florida, requests the Florida Legislature to
pass a law that provides a source of funding for the
implementation of Chapter 163, Florida Statutes.

Section 3. That the Board of County Commissioners,
Orange County, Florida, requests the Florida Legislature to
pursue an amendment to the Constitution of the State of
Florida requiring that any future legislation mandating
actions upon units of local government, wherein such
actions create a financial burden on such units of local
government, provides a source of funding sufficient to
cover the costs of such actions.

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Section 4. That the sources of funding referred to in Sections 1, 2 and 3 above should be without the requirement for a referendum by the units of local government.

Section 5. That copies of this resolution be sent to the Governor of the State of Florida, the President of the Florida Senate, the Speaker of the Florida House of Representatives and to each member of Orange County's local legislative delegation.

ADOPTED THIS 13th DAY OF March, 1989.

By: Tom Claerman
Chairman

ATTEST:
MARTHA O. HAYNIE, Clerk to the Board of County Commissioners

By: Mary Jo Garrison
Deputy Clerk